

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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YESSUH SUHYES HUSSEY,

Plaintiff,

-against-

CORRECTION OFFICER SQUARE 19919 and  
INMATE JOHN DOE,

Defendants.

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YESSUH SUHYES HUSSEY,

Plaintiff,

-against-

CORRECTION OFFICER WOU and INMATE  
CHARLES BROWN,

Defendants.

-----X  
YESSUH SUHYES HUSSEY,

Plaintiff,

-against-

DOCTOR LITROLF,

Defendant.

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PAMELA K. CHEN, United States District Judge:

Plaintiff Yessuh Suhyes Hussey, a serial filer, brings these three actions pursuant to 42 U.S.C.

§ 1983.<sup>1</sup> A court may consolidate cases that involve a “common question of law or fact.” *See* Fed. R.

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<sup>1</sup> At the time of filing, Plaintiff was being held at the Anna M. Kross Center on Rikers Island but was released from custody on March 2, 2023. *See* <https://a073-ils-web.nyc.gov/inmatelookup/pages/home/home.jsf> (last visited April 11, 2023). The Court notes that Plaintiff has filed at least 60 cases in recent months, including 43 cases on the same day. Although these complaints will proceed for now, Plaintiff is again warned that the future filing of vexatious and

Civ. P. 42(a). The Court finds that 23-CV-2151, 23-CV-2158 and 23-CV-2160 relate to Plaintiff's claims that corrections officers failed to protect him from other inmates while he was being held on Rikers Island, causing him injury, and that he did not receive proper medical care for his injuries. Therefore, the Clerk of Court is respectfully directed to: (1) consolidate 23-CV-2151, 23-CV-2158, and 23-CV-2160, (2) close 23-CV-2158 and 23-CV-2160, and (3) **enter all future docket entries under 23-CV-2151.**

Plaintiff's claims against Inmate John Doe and Inmate Charles Brown are dismissed pursuant to U.S.C. § 1915(e)(2)(B). *See Jacobs, III v. NYS Corr. & Comm. Sup.*, No 19-CV-5980 (AMD), 2020 WL 75890, at \*2 (E.D.N.Y. Feb. 14, 2020) ("plaintiff's fellow inmate . . . cannot be sued under Section 1983 because he is a private person, not a state actor.") (citing *Am. Mfrs. Ins. Co. v. Sullivan*, 526 U.S. 40, 49-50 (1999)).

Plaintiff's request to proceed *in forma pauperis* pursuant to 28 U.S.C. § 1915 is granted. The Clerk of Court shall issue a summons for the remaining Defendants: Correction Officer Square 19919, Correction Officer Wou, and Doctor Litrolf. The United States Marshals Service is directed to serve the summons, the three Complaints, and this Order upon the remaining defendants without prepayment of fees. The case is referred to Magistrate Judge Lois Bloom for pretrial supervision.

The Clerk of Court shall send a copy of this Order to Plaintiff and to the Corporation Counsel of the City of New York, Special Federal Litigation Division.

SO ORDERED.

/s/Pamela K. Chen  
PAMELA K. CHEN  
United States District Judge

Dated: April 27, 2023  
Brooklyn, New York

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frivolous litigation may result in sanctions, including the imposition of an injunction prohibiting him from making future filings seeking *in forma pauperis* status without leave of the Court.